

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Mehta *et al.* Examiner: Aradhana, Sasan

Application No.: 10/561,827 Group Art Unit: 1615

Filing Date: November 27, 2006 Confirmation No.: 3209

Title: **STABLE ORAL COMPOSITIONS OF AZITHROMYCIN
MONOHYDRATE**

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION DATED AUGUST 19, 2009

In response to the Office Action dated August 19, 2009, Applicants elect Group I as defined by Examiner, claims 1-18. Examiner is therefore requested to examine these claims immediately.

In view of the following remarks, Applicants request reconsideration and withdrawal of the restriction requirement. Claims 1 to 33 are pending with claims 1, 19 and 33 being independent. The Examiner has issued a restriction requirement alleging that the present application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

- Group I, claims 1-18 are drawn to a stable oral composition of azithromycin;
- Group II, claims 19-32 are drawn to a process for making a stable oral composition of azithromycin; and
- Group III, claim 33 is drawn to a method of treating a microbial infection by administering a stable oral composition of azithromycin.